

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SUBBIAH VAUGHN on behalf of N.M., a  
minor,

Plaintiff

v.

CLARK COUNTY SCHOOL DISTRICT,

Defendant

Case No.: 2:22-cv-00501-APG-DJA

**Order Remanding Case to State Court**

Defendant Clark County School District removed this case on the basis of federal question jurisdiction. ECF No. 1. However, the plaintiff's complaint does not refer to any federal claim. ECF No. 1-2. "Removal and subject matter jurisdiction statutes are strictly construed, and a defendant seeking removal has the burden to establish that removal is proper and any doubt is resolved against removability." *Hawaii ex rel. Louie v. HSBC Bank Nev., N.A.*, 761 F.3d 1027, 1034 (9th Cir. 2014) (quotation omitted). Although the plaintiff refers to constitutional rights and discrimination, those references may be based on the Nevada constitution and Nevada state law. It is not apparent from the face of the complaint that it raises any federal question, and doubts regarding whether removal is proper should be resolved against removability. Consequently, I remand this case to the state court from which it was removed.

I THEREFORE ORDER that this case is remanded to the state court from which it was removed for all further proceedings. The clerk of the court is instructed to close this case.

DATED this 23rd day of March, 2022.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE